

1 Andrew Cerett
2 P.O. Box 322
3 Fredericktown, PA 15333

4 814-644-3702
5 d1football2010@yahoo.com
6 Defendant, Pro se

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

9
10 EMILY FRAZER,

11 Plaintiff,

12 vs.

13 TEMPLE UNIVERSITY, *et al.*

14 Defendants.
15

FILED

SEP 13 2013

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

CIVIL ACTION

NO. 13-2675

ANSWER OF DEFENDANT ANDREW
CERETT TO COMPLAINT OF PLAINTIFF
EMILY FRAZER

[DEMAND FOR JURY TRIAL]

16
17
18
19
20 Defendant, Andrew Cerett, answers the complaint of Plaintiff, Emily Frazer as follows:

- 21 1. Defendant admits the allegations in paragraphs 1, 2 and 3 in part, to the extent that
22 they set forth Plaintiff's cause of action. To the extent these paragraphs set forth
23 conclusions of law and statements of fact relating to any potential cause or causes of
24 action, those statements are denied.
25
26 2. Defendant admits the allegations in paragraph 4.

- 1 3. Defendant denies the allegations in paragraph 5. Venue has already been deemed
2 improper in the middle district of Pennsylvania, and therefore transferred to the
3 Eastern District of the United States District Court.
- 4 4. Defendant admits the allegations in paragraph 6.
- 5 5. Defendant denies the allegations in paragraph 7,8 and 9.
- 6 6. Defendant admits the allegations in paragraphs 10, 11 and 12.
- 7 7. Defendant lacks knowledge or information sufficient to form a belief about the truth of
8 the allegations in paragraph 13, 14 and 15 and therefore denies them.
- 9 8. Defendant admits the allegations of paragraph 16 in part to the extent that he is an
10 adult individual and was a full time Temple University student. Defendant denies that he was a
11 student from May of 2010 until May of 2011.
- 12 9. Defendant admits the allegations of paragraph 17 in part, but denies he was a student
13 athlete in May of 2010. Defendant was enrolled as a student from August of 2010 until February of
14 2011.
- 15 10. Defendant admits the allegations in paragraph 18.
- 16 11. Defendant admits the allegations in paragraph 19.
- 17 12. Defendant lacks knowledge or information sufficient to form a belief about the truth of
18 the allegations in paragraphs 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33, and therefore
19 denies them.
- 20 13. Defendant denies the allegations in paragraph 34. Defendant was a student at Temple
21 University from August of 2010 until February of 2011.
- 22 14. Defendant admits the allegations in paragraph 35.
- 23
- 24
- 25
- 26
- 27
- 28

1 15. Defendant lacks knowledge or information sufficient to form a belief about the truth of
2 the allegations in paragraph 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46, and therefore denies them.

3 16. Defendant admits the allegations in paragraphs 47, 48, 49 and 50.

4 17. Defendant denies the allegations in paragraphs 51, 52, 53, 54, 55, 56, 57, 58 and 59.

5 18. Defendant lacks knowledge or information sufficient to form a belief about the truth of
6 the allegations in paragraphs 60, 61 and 62, and therefore denies them.

7 19. Defendant denies the allegations in paragraphs , 63, 64, 65, 66, 67, 68, 69, 70, 71, 72,
8 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91 and 92.

9 20. Defendant lacks knowledge or information sufficient to form a belief about the truth of
10 the allegations in paragraph 93, and therefore denies them.

11 21. Defendant admits that a disciplinary hearing was held on February 18, 2011 as set
12 forth in paragraph 94. Defendant denies that the hearing was relating to an assault.

13 22. Defendant admits the allegations in paragraphs 95, 96 and 97.

14 23. Defendant denies the allegations in paragraphs 98, 99, 100, 101, 102, 103 and 104.

15 24. Defendant lacks the knowledge or information sufficient to form a belief about the
16 truth of the allegations in paragraph 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, and
17 117 and therefore denies them.

18 25. Defendant denies the allegations in paragraphs 118, 119, 120, 121, 122, 123, 124, 125,
19 126, 127, 128, 129, 130, 131, 132, 133, 134, 135 and 136.

20 26. Defendant lacks the knowledge or information sufficient to form a belief about the
21 truth of the allegations in paragraph 137.

22 27. Defendant denies the allegations in paragraphs 138, 139, 140, 141, 142 and 143.

28. Defendant admits that the University did not hold a disciplinary hearing as set forth in paragraph 144. Defendant denies any basis for a hearing and denies the allegation of an assault.

29. Defendant denies the allegations in paragraphs 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220 and 221.

30. Except as expressly admitted herein, Defendant denies all of the allegations of the complaint.

WHEREFORE, Defendant prays that Plaintiff:

1. Take nothing by their complaint;
2. That said complaint be dismissed against this Answering Defendant with prejudice;
3. For the costs of suit incurred herein; and
4. For such other and further relief as the court may deem just and proper.

Dated

ANDREW CERETT, Pro Se

DEMAND FOR JURY TRIAL

Defendant, Andrew Cerett hereby demands a trial by jury on all issues triable by a jury in the above-entitled action.

Dated

ANDREW CERETT, Pro Se

P.O. Box 322

Fredericktown, PA 15333

Email: d1football2010@yahoo.com

814-644-3702